

REMARKS

Claims 21 and 35 are presently pending and under examination. Claim 21 has been deemed allowable by the Office (Office Action Summary, current Office Action, mailed June 29, 2004). Claim 35 has been cancelled herein. Thus, after entry of the present amendment, allowed claim 21 is the sole claim pending.

Claim 21 is directed to a method of decreasing the deleterious accumulation of extracellular matrix (ECM) associated with a pathology or a condition characterized by the TGF- β -induced production and deleterious accumulation of extracellular matrix in a tissue by contacting the tissue with an anti-TGF- β antibody that binds to TGF- β ; whereby the binding of the anti-TGF- β antibody to the TGF- β suppresses the deleterious accumulation of the TGF- β -induced extracellular matrix in the tissue, and wherein the pathology or condition is glomerulonephritis.

Regarding the Examiner Interview

Applicants thank Examiner Gambel for the courtesy and extended to Applicants' representative during the telephonic interview on October 19, 2004. During the interview, Applicants' representative discussed with Examiner Gambel that Applicants would cancel claim 35 without prejudice and let claim 21, presently deemed allowable, proceed to issuance.

Regarding 35 U.S.C. § 103(a)

The rejection of claim 35 under 35 U.S.C. §103(a) as allegedly rendered obvious by U.S. Patent No. 5,772,998 to Dasch et al., in view of Bassols et al., *J. Biol. Chem.* 263:3039-3045 (1988) and Raghu et al., *Am. Rev. Respir. Dis.* 131:281-289 (1985) is respectfully traversed.

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Although, for the reasons already made of record., Applicants maintain that a *prima facie* case of obviousness has not been established and the rejection of claim 35 as rendered obvious by the cited references is unsupported, the rejection has been rendered moot by cancellation of claim 35.

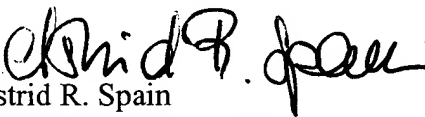
CONCLUSION

In light of the amendment canceling claim 35 and accompanying remarks, Applicants submit that claim 21 remains in condition for allowance and respectfully request a notice to this effect. Should the Examiner have any questions, he is invited to contact the undersigned attorney.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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